

REMARKS

In the Office Action dated January 31, 2003, the Examiner rejected claims 4, 11 and 15-20 under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claims 1-6, 8-11 and 15 were rejected under 35 U.S.C. 102(b) as being anticipated by United States Patent Re 26,272 to Schreiber et al. Claims 7, 12, 13, 16 and 17 were rejected under 35 U.S.C. 103(a) as being unpatentable over Schreiber et al. (272) in view of U.S. Patent No. 874,808 to Taylor. Claim 19 was rejected under 35 U.S.C. 103(a) as being unpatentable over Schreiber et al. (272) in view of U. S. Patent No. 3,981,168 to Vanelli Coralli et al. Claim 20 was rejected under 35 U.S.C. 103(a) as being unpatentable over Schreiber et al. (272) in view of U. S. Patent No. 977,085 to Eras.

Rejections under 35 U.S.C. § 112:

In the Office Action dated January 31, 2003, the Examiner rejected claims 4, 11 and 15-20 under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. In support of the rejections, the Examiner asserted the following:

Claims 4, 11 and 15-20 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claim 4, if the driver pin bores along plane P1 are defined in line 3 as the second driver pin bores, it is not clear in what sense the driver pin bores of the first and third sets in claim 3 are not parallel to one another. See claim 11 also, as it depends from claim 10. In claim 15, lines 19, 23 and 27, the second occurrence of "pins" should be replaced with -pin bores--.

Applicant has amended claims 4, 11, and 15 to comply with the Examiner's suggestions. Specifically, Applicant has amended claims 3 and 10 to replace "parallel" with "collinear," and has amended claim 15 to replace "pins" with "pin bores." Applicant

respectfully submits that these amendments do not introduce new matter and entry thereof is respectfully requested. Applicant respectfully submits that claims 4, 11 and 15 are, as amended, fully compliant with 35 U.S.C. § 112, and respectfully requests that the Examiner withdraw the rejections of these claims under 35 U.S.C. § 112.

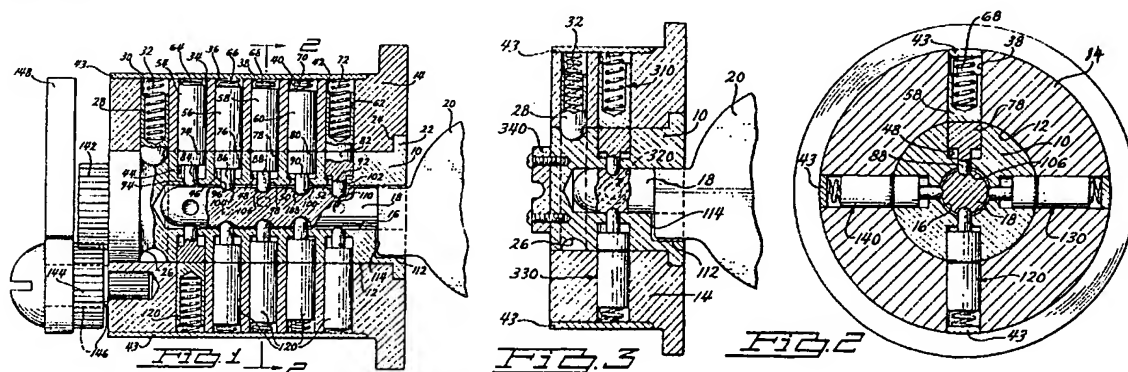
Rejections under 35 U.S.C. § 102:

In the Office Action, claims 1-6, 8-11 and 15 were rejected under 35 U.S.C. 102(b) as being anticipated by United States Patent No. Re 26,272 to Schreiber et al. In support of the rejections, the Examiner asserted the following:

Claims 1-6, 8-11 and 15 are rejected under 35 U.S.C. 102(b) as being anticipated by Schreiber et al. (272).

As seen in figs. 1 and 2, Schreiber et al teaches a lock housing 14, a cylinder blank 10, and driver pin bores and pass key pin bores along at least three planes, including driver pins 58 and pass key pins 78 as seen in fig. 2.

The elements referenced by the Examiner are shown in the Schreiber reference as follows:



Although Applicant does not concur with the Examiner's characterization of the Schreiber reference, in the interest of expediting prosecution Applicant has amended claims 1, 8, and 15 to more clearly define specific embodiments of the broader invention disclosed in Applicant's disclosure. Applicant respectfully submits that these amendments do not introduce new matter

and their entry is respectfully requested. Applicant respectfully submits that none of independent claims 1, 8, or 15, as amended, is anticipated and the allowance thereof is respectfully requested. Claims 2-6 and 9-11 depend from allowable claims 1 and 8, respectively, and are allowable for the same reasons as these independent claims. These claims incorporate additional limitations further distinguishing over the cited art. Accordingly, Applicant respectfully submits that none of dependent claims 2-6 and 9-11, as amended, is anticipated and the allowance thereof is also respectfully requested.

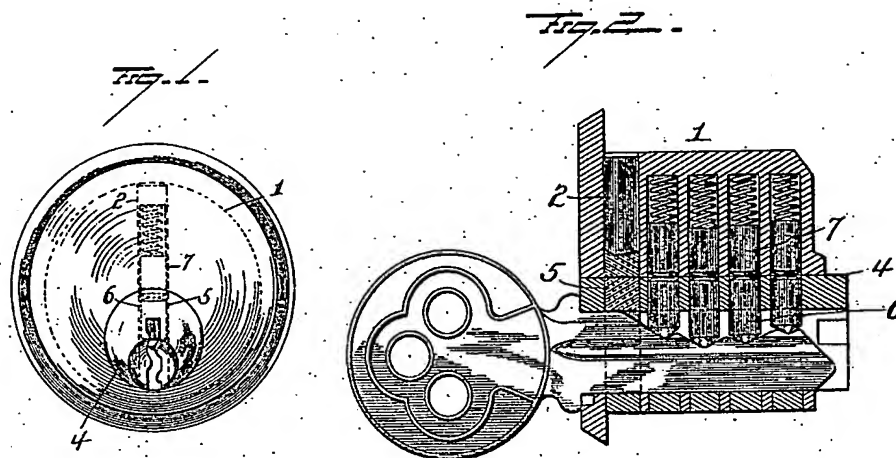
Rejections under 35 U.S.C. § 103:

In the Office Action, claims 7, 12, 13, 16 and 17 were rejected by the Examiner under 35 U.S.C. 103(a) as being unpatentable over Schreiber et al. (272) in view of U.S. Patent No. 874,808 to Taylor. Claim 19 was rejected under 35 U.S.C. 103(a) as being unpatentable over Schreiber et al. (272) in view of U. S. Patent No. 3,981,168 to Vanelli Coralli et al. Claim 20 was rejected under 35 U.S.C. 103(a) as being unpatentable over Schreiber et al. (272) in view of U. S. Patent No. 977,085 to Eras. In support of the rejections under the Taylor reference, the Examiner presented the following arguments:

Claims 7, 12, 13, 16 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Schreiber et al (272) in view of Taylor (209).

Taylor teaches a shielding device (pins 5) in front of driver bores, as well as a shielding device 4 between pass key pin bores and the front surface of the cylinder blank. To modify the lock of Schreiber et al to include the shields of Taylor, would have been obvious to one of ordinary skill in the art, to protect the driver pins and pass key pins from tampering attempts.

The elements referenced by the Examiner are depicted in the Figures from the Taylor reference below. From these Figures it can be seen that the Taylor reference describes a simple lock mechanism that does not, either alone or in combination with the Schreiber reference, anticipate or render obvious the subject matter of any of claims 7, 12, 13, 16 and 17 as amended.



In support of the rejections under the Vanelli Coralli and Eras references, the Examiner presented the following arguments:

Claim 19 is rejected under 35 U.S.C. 103(a) as being unpatentable over Schreiber et al (272) in view of Vanelli Coralli et al.

Vanelli Coralli et al teaches a shield 4 in fig. 3 which covers all radial planes leading from the key slot (T). To provide a shield which covers all planes and pass key pins of Schreiber et al would have been obvious in view of the teaching of Vanelli Coralli et al, to protect the key pins and cylinder blank from tampering attempts.

Claim 20 is rejected under 35 U.S.C. 103(a) as being unpatentable over Schreiber et al (272) in view of Eras.

Eras teaches a shielding device 6 in front of driver pin bores in all (top and bottom) planes which possess driver pins. To modify the driver pin bores in all planes of Schreiber to include a shielding device, would have been obvious in view of the teaching of Eras, to protect the driver pins from tampering attempts.

Claims 14 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Schreiber et al in view of Eras and Vanelli Coralli et al.

All of the references have been discussed above. To modify all driver pin bore planes to include a shielding device, would have been obvious in view of the teaching of Eras, to protect the driver pins from tampering attempts. To modify the lock of Schreiber et al to include a shielding device for all pass key pins/bores, would have been obvious in view of the teaching of Vanelli Coralli et al, to protect the pass key pins from tampering attempts.

In response, Applicant explicitly disagrees with the Examiner's characterization of the cited references, and does not concede that the original claims were properly rejected. Applicant respectfully submits that each of the claims referred to in the excerpt above depends, either directly or indirectly, from claim 1, 8 or 15. As such, each of these dependent claims is

allowable as it depends from an allowable claim. Further, each of these claims incorporates one or more additional limitations further distinguishing over the cited references. Accordingly, Applicant respectfully submits that the rejected dependent claims are fully allowable and their allowance is respectfully requested.

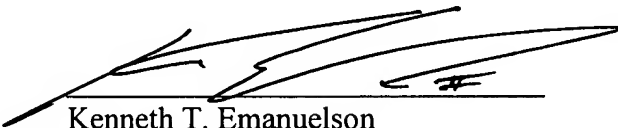
CONCLUSION

For the reasons set forth above, and in light of the foregoing amendments to the claims, Applicant respectfully requests reconsideration by the Examiner. Applicant submits that the application is in condition for allowance and respectfully requests prompt, favorable action thereon. If the Examiner has any questions or comments, or if further clarification is required, it is requested that the Examiner contact the undersigned at the telephone number listed below. Please reference Attorney Docket No. 126885-1001.

Respectfully submitted,

GARDERE WYNNE SEWELL, L.L.P.

Dated: 6/2/2003


Kenneth T. Emanuelson
Registration No. 46,684

ATTORNEY FOR APPLICANTS

Thanksgiving Tower
1601 Elm Street, Suite 3000
Dallas, Texas 75201
(214) 999-4266 - Telephone
(214) 999-3266 - Facsimile

DALLAS 1283146v1 DALLAS 1283146v1